

## **II. REMARKS**

### **A. SUMMARY OF THE REJECTION**

In the Office action, the rejection of claims 1-16 as being unpatentable over U.S. Patent 6,315,196 issued to Richard Bachman (Bachman) is maintained. The cancellation of claim 16 renders the rejection of claim 16 moot. Applicants maintain that the claimed invention is patentable in view of Bachman for the reasons set forth in the Response filed January 28, 2004, and for the reasons set forth below. Applicants respectfully request continued examination of this application under 35 U.S.C. § 1.114.

In the Office action, it is asserted that the only difference between the claimed invention and the teachings of Bachman is the use of a graphical user interface. The Examiner asserts that the use of a graphical user interface would have been obvious to one of ordinary skill in the art.

### **B. SUMMARY OF THE INTERVIEW**

Applicants appreciate the telephonic interview conducted August 23, 2004, between the Examiner and applicants' representative. At the Interview, the differences between the applicants' disclosed invention and the teachings of Bachman were discussed. In the interview, it was noted that the Bachman system is directed to a credit protection program in contrast to applicants' invention of a method and system for providing advice to customer service representatives that negotiate with individuals who are delinquent on a debt obligation. Arguments were advanced that Bachman does not address advice as set forth by the claims. The Examiner asserted that most any communication from a financial institution is generally advice. Arguments were advanced that Bachman does not suggest two separate graphical user interfaces that accept information at two levels to specifically define a financial situation. The Examiner asserted that it would be obvious to implement the general processes of Bachman using multiple graphical interfaces. No agreement was reached during the interview.

### **C. SUMMARY OF THE AMENDMENTS**

The independent claims, claims 1, 8, 11 and 13, have been amended to clearly define the advice provided by claimed system and method. The independent claims have been amended to clearly define the relationship between the first graphical user interface and the second graphical user interface. Claims 2, 4-7, 9, 10, 12, 14 and 15 are amended to correspond

to the amendments to the independent claims from which they depend. Claim 16 is cancelled. Applicants respectfully submit that the amendments to the claims distinguish the claimed invention from generic financial systems that may include multiple graphical interfaces.

**D. REJECTION UNDER SECTION 103**

Applicants maintain that the single applied reference to Bachman fails to render the claims obvious for the reasons set forth in the Response filed January 28, 2004 (January Response). Applicants maintain that the Examiner has failed to set forth a *prima facie* case of obviousness for the reasons set forth in the January Response. These arguments are summarized below with respect to the claims as presently amended.

**1) Independent Claim 1 and Claims Depending Therefrom**

Independent claim 1 as amended sets forth a system for including a first graphical user interface (GUI) comprising one or more descriptive icons, the descriptive icons representing one or more financial situations. A second GUI is displayed on the display of a computer based on selection of one of the descriptive icons. The second GUI comprises questions related to strategies for addressing the financial situation represented by the selected icon of the first GUI. A processor is operative to generate negotiation advice in response to selected answers to the questions in the second GUI. The negotiation advice relates to alternative payment options for a financial situation corresponding to the selected answers. Bachman fails to show or suggest at least these limitations of amended claim 1.

Bachman fails to show or suggest a first graphical user interface (GUI) displayed on a computer including descriptive icons, where the descriptive icons represent one or more financial situations as set forth in amended claim 1. There is no motivation for one of skill in the art to modify Bachman to include such a GUI in combination with the second GUI discussed below.

Bachman fails to show or suggest any questions related to strategies for addressing a selected financial situation. Accordingly, there is no suggestion to modify Bachman to include a second GUI that comprises such questions as set forth in amended claim 1. There is further no suggestion to modify Bachman to include both a first GUI and second GUI, where the first GUI includes icons to define a financial situation and the second GUI includes questions to further define the financial situation.

Bachman fails to show or suggest any negotiation advice related to alternative payment options suitable to a particular financial situation. Accordingly, Bachman does not show or suggest a processor operative to generate such negotiation advice as set forth in amended claim 1.

Applicants respectfully submit that for at least the above reasons Bachman fails to show or suggest each limitation of claim 1. Accordingly, applicants request that the rejection of claim 1 as being unpatentable in view of Bachman be withdrawn.

Claims 2-7 depend from claim 1 and accordingly include all the limitations of claim 1. Claims 2-7 are thus patentable over Bachman for at least the reasons discussed above with respect to claim 1.

In addition, claim 3 as amended sets forth that the negotiation advice includes advice for interacting with an individual in the particular financial situation determined by the selections made from the first and second GUIs set forth in claim 1. Bachman is not directed to negotiating with delinquent individuals. Rather, Bachman provides a system to avoid delinquency during certain defined situations. Accordingly, there is no suggestion in Bachman to generate negotiation advice.

Claim 4 sets forth that the second GUI displays predetermined answers to the questions. Bachman does not show or suggest receiving detailed information regarding an individuals financial situation. Accordingly, there is no motivation to modify Bachman to include answers to questions related to addressing a particular financial situation as set forth by amended claim 4.

Claim 5 sets forth that the second GUI comprises a panel for displaying the advice and a panel for displaying the questions. As discussed above, the Bachman system provides no advice. There is thus no suggestion to display advice together with questions used to refine the advice in a GUI as set forth by amended claim 5.

Claim 6 sets forth that the second GUI comprises buttons for selecting the answers. Bachman does not question a user regarding the details of a financial situation. Accordingly, there is no suggestion to modify Bachman to include means for inputting answers to questions about a particular financial situation, such as the buttons set forth by amended claim 6.

Claim 7 sets forth that the second GUI comprises means for specifying the type of the advice generated by the system. As discussed above, the Bachman system provides no advice. Accordingly, Bachman does not suggest a second GUI that includes means for specifying the type of the advice generated by the system.

For at least the above reasons, applicants respectfully request that the rejections of claims 2-7 be withdrawn.

## **2) Independent Claim 8 and Claims Dependent Therefrom**

Independent claim 8 as amended sets forth a method of providing negotiation advice. Claim 8 as amended includes the step of retrieving strategy data in response to the selection of a descriptive icon, where the strategy data address the financial situation represented by the selected icon. Claim 8 as amended includes the step of displaying a second GUI, where questions corresponding to the strategy data are displayed as part of the second GUI. Claim 8 as amended includes the step of retrieving negotiation advice data related to the selected answers to the questions that correspond to a particular economic situation. Claim 8 as amended includes the step of displaying negotiation advice related to alternative payment options most suitable to the particular economic situation. Bachman fails to show or suggest at least these steps of claim 8.

Bachman fails to show or suggest a step of retrieving strategy data in response to the selection of a descriptive icon. Bachman is silent regarding any strategy data because the Bachman system merely decides whether or not to activate deferment. No strategy for addressing any particular class of financial situation is required or useful in Bachman. Accordingly, Bachman does not show or suggest strategy data and cannot show or suggest retrieving such strategy data.

Bachman fails to show or suggest a step of displaying a second GUI comprising questions. As discussed above with respect to claim 1, Bachman does not suggest further defining a financial situation through the presentation of questions. Accordingly, there is no suggestion to modify Bachman to include a step of displaying a second GUI.

Bachman fails to show or suggest a step of displaying negotiation advice related to alternative payment options most suitable to a particular economic situation. As discussed above, Bachman merely verifies whether or not an event has occurred that is required to activate

the deferment of a customer's account. The customer in Bachman is notified either that deferment has been activated or that it has not. There is no suggestion of any negotiation advice that is displayed by the Bachman system.

Applicants respectfully request that for at least the above reasons the rejection of claim 8 as being unpatentable in view of Bachman be withdrawn.

Claims 9 and 10 as amended depend from claim 8 and accordingly include all the limitations of claim 8. Claims 9 and 10 as amended are thus patentable over Bachman for at least the reasons discussed above with respect to claim 8.

In addition, claim 9 as amended sets forth that the negotiation advice includes advice for interacting with individuals in a particular economic situation. As discussed above with respect to claim 3, Bachman does not address negotiation strategies. There is simply no suggestion or motivation in Bachman to generate advice on negotiation strategies.

Claim 10 as amended sets forth the step of displaying multiple answers to each of the questions. Bachman includes no suggestion to obtain details regarding an individual's financial situation. Accordingly, there is no suggestion to modify Bachman to provide multiple answer selections corresponding to financial situations.

Applicants respectfully request for at least the above reasons that the rejections of claims 9 and 10 as amended be withdrawn.

### **3) Independent Claim 11 and Claim Dependent Therefrom**

Claim 11 as amended sets forth a method for negotiating. Claim 11 as amended includes the step of classifying the individual's economic situation by selecting a descriptive icon representing a financial situation displayed on a first GUI. Claim 11 as amended includes the step of ascertaining further circumstances of an individual's economic situation related to questions displayed in a second GUI. Claim 11 as amended includes the step of inputting answers to the questions. Claim 11 as amended includes the step of receiving negotiation advice related alternative payment options most suitable to the individual's economic situation. Bachman fails to show or suggest at least these steps of claim 11. Accordingly, applicants request that the rejection of claim 11 be withdrawn.

Bachman fails to show or suggest a step of classifying an individual's economic situation by selecting a descriptive icon. As discussed above, Bachman merely determines

whether or not an event has occurred that is required to activate deferment. There is no need or suggestion in Bachman to choose a category corresponding to a customer's economic situation. Bachman thus fails to show or suggest a step of classifying an individual's economic situation as set forth by amended claim 11.

Bachman fails to show or suggest a step of ascertaining further circumstances of an individual's economic situation related to questions displayed on a second GUI as set forth by amended claim 11. Bachman merely verifies whether or not an event required to activate deferment has occurred by requesting verification documents. No further circumstances of the individual's economic situation are ascertained. Accordingly, Bachman fails to show or suggest this step of amended claim 11.

Bachman fails to show or suggest a step of inputting answers to said questions. The Bachman system includes no suggestion to obtain answers to question related to the financial situation of a customer. To the contrary, Bachman merely verifies. As no answers to questions are obtained when using the Bachman system, no answers are input to the Bachman system.

Bachman fails to show or suggest a step of receiving negotiation advice related to alternative payment options most suitable to the individual's economic situation. The Bachman system does not produce negotiation advice. Accordingly, Bachman does not suggest receiving negotiation advice as set forth by amended claim 11.

Applicants respectfully request that for at least the above reasons the rejection of claim 11 as amended as being unpatentable in view of Bachman be withdrawn.

Claim 12 as amended depends from claim 11 and accordingly includes all the limitations of amended claim 11. Claim 12 as amended is thus patentable over Bachman for at least the reasons discussed above with respect to claim 11. Claim 12 sets forth specifying the type of negotiation advice provided. As discussed above, the Bachman system provides no advice. Accordingly, Bachman does not suggest specifying the type of advice. Applicants respectfully request for at least the above reasons that the rejection of claim 12 be withdrawn.

#### **4) Independent Claim 13 and Claims Dependent Therefrom**

Claim 13 as amended sets forth a system for providing negotiation advice. Claim 13 as amended sets forth a first GUI displaying descriptive icons each representing a general

financial situation. Claim 13 as amended further sets forth a second GUI displaying question related to strategies for addressing the general financial situation. The second GUI further displays negotiation advice related to alternative payment options. Bachman fails to show or suggest at least these elements of claim 13 as amended.

Bachman fails to show or suggest a first graphical user interface. As set forth by claim 13 as amended, the first GUI displays descriptive icons representing general financial situations. As discussed above, there is no suggestion in Bachman to present various classes of financial situations for a user to choose between. The Bachman system merely verifies that an event has occurred and activates deferment if the verification is positive. There is no need or suggestion in Bachman of a GUI including descriptive icons representing financial situations because a user of the Bachman system does not choose between financial situations.

Bachman fails to show or suggest a second GUI displaying questions related to strategies for addressing a general financial situation and negotiation advice related to alternative payment options. The Bachman system does not generate negotiation advice. The Bachman system merely provides for account deferment during specified events. Accordingly, there is no motivation to modify Bachman to include a second GUI displaying questions related to strategies and displaying negotiation advice as set forth in amended claim 13.

Applicants respectfully request that, for at least the above reasons, the rejection of claim 13 as being unpatentable in view of Bachman be withdrawn.

Claims 14 and 15 as amended depend from claim 13 and accordingly include all the limitations of amended claim 13. Claims 14 and 15 as amended are thus patentable over Bachman for at least the reasons discussed above with respect to claim 13.

In addition, proposed claim 14 sets forth that the negotiation advice includes advice for interacting with an individual. As discussed above with respect to claim 3, Bachman does not address negotiation strategies. There is simply no suggestion or motivation in Bachman of any negotiation advice.

Claim 15 sets forth that a selection of the type of advice displayed by the second GUI. As discussed above, the Bachman system provides no advice. Accordingly, Bachman does not suggest a selection of the type of advice displayed.

Applicants respectfully request for at least the above reasons that the rejections of claims 14 and 15 be withdrawn.


### III. CONCLUSION

Applicants respectfully submit that rejection of the pending claims as being unpatentable over the single applied reference to Bachman should be withdrawn for the reasons set forth above. Applicants' claimed invention and the Bachman system are very different. The Bachman system only functions as a system for debt deferment. The Bachman system is not a system for providing negotiation advice. The Bachman system does not disclose two levels of gathering information to define a financial situation of a delinquent individual. Accordingly, Bachman does not suggest two different interfaces as set forth in the amended claims. Furthermore, as it is acknowledged that Bachman does teach the use of graphical user interfaces, there can be no motivation to modify Bachman to include the claimed configurations of graphical user interfaces and icons. For at least these reasons, applicants submit that the pending claims are patentable over Bachman. Applicants respectfully request reconsideration and early allowance of this application.

Respectfully submitted,

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Dated: August 26, 2004

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